

REMARKS**INTRODUCTION**

In accordance with the foregoing, claims 1, 17 and 35 have been amended. Claims 2, 3, 6-9, 18, 19, 22-25, 36-39, 46-48, 51, 52, 54-56, 59, 60, 62-66, 68, 69, 72 and 73 have been cancelled. Claims 1, 10-15, 17, 26-31, 33-35 and 42-44 are pending and under consideration.

CLAIM REJECTIONS

Claims 1-3, 6-15, 17-19, 22-31, 33-39, 42-44, 46-48, 51, 52, 54-56, 59, 60, 62-66, 68, 69, 72, and 73 were rejected under 35 USC 103(a) as being unpatentable over Santo et al. (US 6,587,284) (hereinafter "Santo") in view of Kasuga et al. (US 5,844,881) (hereinafter "Kasuga").

Claims 1-3 and 6-15

Amended claim recites: "...the first and second magnet parts are substantially \neg -shaped and symmetric so that the magnetic circuit is used when a driving center is required to be positioned upward." Support for this amendment may be found in at least original claim 3. The Office Action relies on Santo to show this feature of claim 1. Specifically, the Office Action relies on Figure 11C of Santo. However, in contrast to claim 1, Figure 11C shows that the magnet 8 is configured in an "L" shape rather than a " \neg " shape. In the Office Action, the Examiner appears not to make a distinction between an "L" shape and a " \neg " shape. However, as recited in the claims, the " \neg " shape is directed to when a driving center is required to be positioned upward. It is respectfully submitted that Santo does not discuss the magnet 8 is configured in a " \neg " shape, but rather only shows that the magnet 8 is configured in an "L" shape.

Further, the Office Action notes the focusing direction F_O shown in Figure 11C teaches the feature of positioning the driving center upward. To the contrary, the " \neg " shape is directed to the intensity of the magnetic flux, not the focusing direction.

This technical feature of claim 1 allows for tracking sensitivity to be improved by changing the position of the neutral zone to maximize the intensity of magnetic flux affecting tracking control within the range of satisfaction of a desired linearity.

Claims 2, 3 and 6-9 have been cancelled. Claims 10-15 depend on claim 1 and are therefore believed to be allowable for at least the foregoing reasons.

Withdrawal of the foregoing rejection is requested.

Claims 17-19 and 22-34

Amended claim 17 recites: "...the first and second magnet parts are substantially ~- shaped and symmetric so that the magnetic circuit is used when a driving center is required to be positioned upward." Support for this amendment may be found in at least original claim 19. The Office Action relies on Santo to show this feature of claim 17. In contrast to claim 17, however, Figure 11C of Santo shows that the magnet 8 is configured in an "L" shape rather than a "~" shape. This technical feature of claim 17 allows for tracking sensitivity to be improved by changing the position of the neutral zone to maximize the intensity of magnetic flux affecting tracking control within the range of satisfaction of a desired linearity and patentably distinguishes over the arrangement shown in Santo and Kasuga.

Claims 18, 19 and 22-25 have been cancelled. Claims 32-31, 33 and 34 depend on claim 17 and are therefore believed to be allowable for at least the foregoing reasons.

Withdrawal of the foregoing rejection is requested.

Claims 35-39 and 42-44,

Amended claim 35 recites: "...the first and second magnet parts are substantially ~- shaped and symmetric so that the magnetic circuit is used when a driving center is required to be positioned upward." Support for this amendment may be found in at least original claim 37. The Office Action relies on Santo to show this feature of claim 35. In contrast to claim 35, however, Figure 11C of Santo shows that the magnet 8 is configured in an "L" shape rather than a "~" shape. This technical feature of claim 35 allows for tracking sensitivity to be improved by changing the position of the neutral zone to maximize the intensity of magnetic flux affecting tracking control within the range of satisfaction of a desired linearity and patentably distinguishes over the arrangement shown in Santo and Kasuga.

Claims 36-39 have been cancelled. Claims 42-44 depend on claim 35 and are therefore believed to be allowable for at least the foregoing reasons.

Withdrawal of the foregoing rejection is requested.

Claims 46-48, 51, 52, 54-56, 59, 60, 62-66, 68, 69, 72 and 73

Claims 46-48, 51, 52, 54-56, 59, 60, 62-66, 68, 69, 72 and 73 have been cancelled.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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